

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GREGORY MANGO,

Plaintiff,

v.

DEMOCRACY NOW! PRODUCTIONS, INC.,

Defendant.

Case No.: 1:18-cv-10588-DLC

**DECLARATION OF THOMAS MONAHAN IN SUPPORT OF
DEFENDANT'S MOTION FOR AN ORDER REQUIRING
PLAINTIFF TO POST AN ADDITIONAL BOND**

I, Thomas M. Monahan, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate with Sheppard, Mullin, Richter & Hampton LLP, attorneys of record for Defendant Democracy Now! Productions, Inc. ("Democracy Now"). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would competently testify thereto.

2. This declaration is submitted in support of *Defendant's Motion for an Order Requiring Plaintiff to Post an Additional Bond*.

3. Democracy Now is the defendant in the above-captioned action filed by Plaintiff Gregory Mango ("Plaintiff"), which alleges copyright infringement of a photograph of Kellyanne Conway and George Conway (the "Photograph").

4. A true and correct copy of Plaintiff Gregory Mango's Rule 26(a)(1) Initial Disclosures is attached as **Exhibit 3**.

5. A true and correct copy of Plaintiff Gregory Mango's First Set of Requests for Production of Documents is attached as **Exhibit 4**.

6. A true and correct copy of Plaintiff Gregory Mango's First Set of Interrogatories is attached as **Exhibit 5**.

7. A true and correct copy of Gregory Mango's September 13, 2004 Chapter 7 Voluntary Bankruptcy Petition is attached as **Exhibit 6**.

8. A true and correct copy of the docket from Gregory Mango's Chapter 7 Bankruptcy Proceedings, E.D.N.Y. Case No. 04-23082, is attached as **Exhibit 7**.

9. True and correct copies of the dockets from certain cases where Gregory Mango is the plaintiff are collective attached as **Exhibit 8**.

10. A true and correct copy of the docket from the case entitled *Mango v. Buzzfeed, Inc.*, S.D.N.Y. Case No. 17-cv-6784, is attached as **Exhibit 9**.

11. Attached hereto as **Exhibit 10** is a list of copyright infringement actions filed by Richard Liebowitz or his firm.

12. In connection with this action, based upon my experience litigating matters in the Southern District of New York, including a copyright infringement trial in 2014, I anticipate that Democracy Now's defense costs in this matter will exceed \$110,000.

13. In connection with this motion, I arranged for real property records searches to be conducted with respect to Plaintiff. Those searches did not reveal any real property or other assets from which Plaintiff could satisfy a judgment for Democracy Now's fees and costs.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 14th day of May, 2019.

/s/Thomas M. Monahan

Thomas M. Monahan